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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/689,565	10/20/2003	Paul Underbrink	ST02010USU (246-US-U1)	8409
7590 Jennifer Hammond The Eclipse Group 10453 Raintree Lane Northridge, CA 91326				
EXAMINER				
FOTAKIS, ARISTOCRATIS				
ART UNIT		PAPER NUMBER		
2611				
MAIL DATE		DELIVERY MODE		
03/20/2009		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/689,565

Applicant(s)

UNDERBRINK ET AL.

Examiner

ARISTOCRATIS FOTAKIS

Art Unit

2611

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03/06/2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 - 24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 - 4, 6 - 12, 14 - 20 and 22 - 24 is/are rejected.
- 7) ☒ Claim(s) 5, 13 and 21 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SI/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on March 06, 2009 has been entered.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 6, 9, 14, 17 and 22 are rejected under 35 U.S.C. 102(b) as being anticipated by Norman et al. (US 6,282,231).

Re claim 1:

As shown in figure 1, Norman et al. disclose a radio receiver apparatus in receipt of a spread spectrum radio signal having a first signal tracking channel and a second signal tracking channel (column 7, lines 20-32), comprising:

a demodulator (see column 4, lines 51- column 5, lines 1-2) that demodulates a first signal in the spread spectrum radio signal into the first signal tracking channel and a second signal in the spread spectrum radio signal into the second signal tracking channel;

a crosscorrelator (block 40 in figure 1) connected to the first tracking channel and the second tracking channel;

a signal processor (blocks 40 and 50 in figure 1) that identify a carrier wave jamming signal with the crosscorrelator that is in a mode to identify CW jamming signals (Col 7, Lines 14 – 27, 51 – 57 and Col 8, Lines 29 – 55) by correlation with a fixed predetermined code for a pseudo random (PRN) code (*The code used is a PRN code which is a fixed predetermined code known by the receiver*);

a tracker (block 50 in figure 1) that tracks the carrier wave jamming signal; and

a signal canceller (block 60 in figure 1) subtracts the carrier wave jamming signal from the spread spectrum signal.

Re claim 9:

As shown in figure 1, Norman et al. disclose a method of removing a carrier wave jamming signal from a spread spectrum signal having a first signal tracking channel and a second signal tracking channel (column 7, lines 20-33), comprising:

demodulating a first signal in the spread spectrum radio signal into the first signal tracking channel and a second signal in the spread spectrum radio signal into the second signal tracking channel (see column 4, lines 51- column 5, lines 1-2);

correlating the first tracking channel and the second tracking channel with a crosscorrelator (block 40 in figure 1);

changing the crosscorrelator from a cross-correlation identification mode to a carrier wave jamming identification mode (Col 7, Lines 14 – 27, 51 – 57 and Col 8, Lines 29 – 55) where the crosscorrelator correlates in the carrier wave jamming signal identification mode with a fixed predetermined code for a pseudo random number (PRN) code (*The code used is a PRN code which is a fixed predetermined code known by the receiver*);

computating a product of the first signal tracking channel and the second signal tracking channel to obtain a carrier wave jamming signal (blocks 40 and 50 in figure 1);

tracking the carrier wave jamming signal (block 50 in figure i); and

canceling the carrier wave jamming signal from the spread spectrum signal (block 60 in figure 1).

Re claim 17: As shown in figure 1, Norman et al. disclose a receiver in receipt of a spread spectrum radio signal having a first signal tracking channel and a second signal tracking channel (column 7, lines 20-33), comprising:

demodulation means (see column 4, lines 51- column 5, lines 1-2) for demodulating a first signal in the spread spectrum radio signal into the first signal tracking channel and a second signal in the spread spectrum radio signal into the second signal tracking channel;

correlation means for correlating the first tracking channel and the second tracking channel (block 40 in figure 1);

computation means for computing a product of the first signal tracking channel and the second signal tracking channel to obtain a carrier wave jamming signal (blocks 40 and 50 in figure 1), when the correlation means is in a carrier wave jamming identification mode (Col 7, Lines 14 – 27, 51 – 57 and Col 8, Lines 29 – 55) by correlating with a fixed predetermined code for a pseudo random (PRN) code (*The code used is a PRN code which is a fixed predetermined code known by the receiver*);

means for tracking the carrier wave jamming signal (block 50 in figure 1); and

canceled means that cancels the carrier wave jamming signal from the spread spectrum signal (block 60 in figure 1).

Re claims 6, 14, 22:

Norman et al. further teach the spread spectrum radio signal is a position signal (column 7, lines 10-13).

Claims 2 - 4, 10 - 12 and 18 - 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Norman in view of Heinzl et al. (US 2002/0012411).

Re claims 2, 10, 18:

Norman discloses all of the subject matters in claim 1 above except for a signal generator that generates a replica carrier wave jamming signal having a phase from the carrier wave jamming signal having another phase and subtracts the replica carrier wave jamming signal from the spread spectrum signal to cancel the carrier wave jamming signal.

However, Heinzl et al. teach a signal generator that generates a replica carrier wave jamming signal and subtracts the replica carrier wave jamming signal from the spread spectrum signal to cancel the carrier wave jamming signal (page 1, paragraph [0011]).

It is desirable to include a signal generator that generates a replica carrier wave jamming signal and subtracts the replica carrier wave jamming signal from the spread spectrum signal to cancel the carrier wave jamming signal to enable GPS and other RF navigation receivers to be structured flexibly to improve anti-jamming capability. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to include a signal generator that generates a replica carrier wave jamming signal and subtracts the replica carrier wave jamming signal from the spread

spectrum signal to cancel the carrier wave jamming signal to provide improved resistance to jamming signals.

Re claims 3, 11, 19:

Heinzl et al. further teach a signal rotator that rotates the phase of the replica carrier wave jamming signal (page 3, paragraphs [0041] and [0042]).

Re claims 4, 12, 20:

Heinzl et al. further teach the signal rotator .adjusts the phase of the replica carrier wave jamming signal to match the other phase of the carrier wave jamming signal in the spread spectrum signal (page 3, paragraphs [0041] and [0042]).

Claims 7, 8, 15, 16, 23, and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Norman in view of Van Stralen et al. (US 6,621,855).

Re claims 7, 15, 23:

Norma discloses all of the subject matter in claim 1 above except for crosscorrelator is at least a 1024 bit wide correlator.

However, Van Stralen et al. disclose crosscorrelator is at least a 1024 bit wide correlator (column 3, lines 45-50).

It is desirable to have a crosscorrelator is at least a 1024 bit wide correlator to improve the reliability of the detection of timing and frequency estimates especially

when the signals are weak (column 11, lines 47-50). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have a crosscorrelator is at least a 1024 bit wide correlator as taught by Van Stralen et al. in the system as taught by Norman et al. to improve the reliability of the detection of timing and frequency estimates (column 11, lines 47-50).

Re claims 8, 16, 24:

Van Stralen et al. further teach the crosscorrelator includes an at least a 1024 bit wide match filter (column 3, lines 45-65).

It is desirable to have the crosscorrelator further includes an at least a 1024 bit wide match filter to improve the reliability of the detection of timing add frequency estimates especially when the signals are weak (column 11, lines 47-50). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have the crosscorrelator includes an at least a 1024 bit wide match filter as taught by Van Stralen et al. in the system as taught by Norman et al. to improve the reliability of the detection of timing and frequency estimates (column 11, lines 47-50).

Allowable Subject Matter

Claims 5, 13 and 21 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Aristocratis Fotakis whose telephone number is (571) 270-1206. The examiner can normally be reached on Monday - Thursday 7 - 5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chieh M. Fan can be reached on (571) 272-3042. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Aristocratis Fotakis/

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/Chieh M Fan/

Supervisory Patent Examiner, Art Unit 2611